

REMARKS/ARGUMENTS

Claims 1-4, 7, 13-16 and 19 have been amended. No Claims have been cancelled without prejudice. No Claims have been added.

35 U.S.C. § 102(b) Rejections

Examiner rejected claims 1 and 2 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 6,285,883 (hereinafter "Bringby"). The limitations of claim 3 have been incorporated into claim 1.

35 U.S.C. § 103(a) Rejections

Examiner rejected claims 3, 4, 7 and 8 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,285,883 (hereinafter "Bringby") in view article entitled "*Estimation of the Hysteresis Value for Handover Decision Algorithms using Bayes Criterion*" (hereinafter "Senadji"). The limitations of claim 3 have been incorporated into claim 1. Thus claim 1 is discuss under the previous rejection of claim 3, which has been canceled.

The Examiner correctly states that Bringby fails to teach the limiations of claim 3, now included in claim 1. However, the Examiner purports that Senadji teach the limitations of claim 3. The Applicants respectfully disagree and submit the following argument in support of their position.

The passages and equations of Senadji to which the Examiner refers teach modeling received signal strength by calculating two average signal strength

measurements, the averages being a function of the distance between a base station and a mobile station. In Figure 2, d represents the physical distance between BS1 and the MS, and D represents the physical distance between BS1 and BS2. In Equations 1 and 2 which calculate the two averages, the quantities d and $(D-d)$ – the distances from the MS to the two base stations – are the relevant distinguishing factor.

In contrast, claim 1, as amended, requires that a long term average and a short term average signal strength be calculated. The two averages differ not as a function of distance from two base stations, but as a function of the measurement window used to collect the samples for averaging based on transmission from a single base station. Senadji does not teach or suggest the calculation of such a short term average or a long term average. Thus, Senadji does not teach or suggest, *inter alia*, “averaging measured signal strength associated with transmission from a first base station over a long interval to obtain a long term average; averaging measured signal strength associated with transmission from the first base station over a short interval to obtain a short term average; and subtracting the long term average from the short term average to obtain an intermediate result,” as required by claim 1 as amended.

Thus claim 1 is allowable. Furthermore, all claims depending on claim 1 are therefore also allowable. Claim 13 contains limitations similar to allowable claim 1 and is thus also allowable. Furthermore, all claims depending on claim 13 are therefore also allowable. Thus, all claims remaining in the application are now allowable.

35 U.S.C. § 103(a) Rejections

Examiner rejected claims 9 and 12 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,285,883 (hereinafter "Bringby '883") in view of U.S. Patent 6,175,7458 (hereinafter "Bringby '745"). As shown above, claims 9 and 12 depend on allowable claim 1 adding further limitations and are therefore also allowable.

35 U.S.C. § 103(a) Rejections

Examiner rejected claim 10 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,285,883 (hereinafter "Min-hua") in view of article entitled "*The mobile IP Handoff Between Hybrid Networks*" (hereinafter "Min-hua"). As shown above, claim 10 depends on allowable claim 1 adding further limitations and is therefore also allowable.

35 U.S.C. § 103(a) Rejections

Examiner rejected claims 13 and 14 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication 2004/0053615 (hereinafter "Kim") in view of U.S. Patent 6,285,883 (hereinafter "Bringby '883"). As shown above, claims 13 is allowable, and claim and 14 depends on allowable claim 13 adding further limitations and are therefore also allowable.

35 U.S.C. § 103(a) Rejections

Examiner rejected claims 5, 6 and 11 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,285,883 (hereinafter "Bringby '883") in view of article entitled "*Estimation of the Hysteresis Value for Handover Decision Algorithms using Bayes Criterion*" (hereinafter "Senadji"). As shown above, claims 5, 6 and 11 depend on allowable claim 1 adding further limitations and are therefore also allowable.

35 U.S.C. § 103(a) Rejections

Examiner rejected claims 15, 16, 19 and 20 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication 2004/0053615 (hereinafter "Kim") in view of U.S. Patent 6,285,883 (hereinafter "Bringby '883") as applied to claim 14 above, and further in view of article entitled "*Estimation of the Hysteresis Value for Handover Decision Algorithms using Bayes Criterion*" (hereinafter "Senadji"). As shown above, claims 15, 16, 19 and 20 depend on allowable claim 13 adding further limitations and are therefore also allowable.

35 U.S.C. § 103(a) Rejections

Examiner rejected claims 21 and 24 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication 2004/0053615 (hereinafter "Kim") in view of U.S. Patent 6,285,883 (hereinafter "Bringby '883") as applied to claim 13 above, and further in view of U.S. Patent 6,175,7458 (hereinafter "Bringby '745"). As

shown above, claims 21 and 24 depend on allowable claim 13 adding further limitations and are therefore also allowable.

35 U.S.C. § 103(a) Rejections

Examiner rejected claim 22 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication 2004/0053615 (hereinafter "Kim") in view of U.S. Patent 6,285,883 (hereinafter "Bringby '883") as applied to claim 13 above, and further in view of article entitled "*The mobile IP Handoff Between Hybrid Networks*" (hereinafter "Min-hua"). As shown above, claim 22 depends on allowable claim 13 adding further limitations and is therefore also allowable.

35 U.S.C. § 103(a) Rejections

Examiner rejected claims 17, 18 and 23 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Publication 2004/0053615 (hereinafter "Kim") in view of U.S. Patent 6,285,883 (hereinafter "Bringby '883") and article entitled "*Estimation of the Hysteresis Value for Handover Decision Algorithms using Bayes Criterion*" (hereinafter "Senadji") as applied to claim 16 above, and further in view of article entitled "*Limits on WDM Systems Due to Four-Wave Mixing: A statistical Approach*". As shown above, claims 17, 18, and 23 depend on allowable claim 13 adding further limitations and are therefore also allowable.



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CONCLUSION

Applicant respectfully submits the present application is in condition for allowance. If the Examiner believes a telephone conference would expedite or assist in the allowance of the present application, the Examiner is invited to call Adam Furst at (408) 947-8200.

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due.

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN

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